

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, November 2, 2020

Mayor Schmidt called the meeting to order at 7:04PM.

Council Members Present: Will Dujardin, Candice Bradley, Chris Haver, Mallika Magner, Laura Mitchell, and Mona Merrill

Staff Present: Town Attorney John Sullivan, Town Manager Dara MacDonald, and Community Development Director Troy Russ

Parks and Recreation Director Janna Hansen, Chief Marshal Mike Reily, Town Planner I Mel Yemma, Finance Director Rob Zillioux, Public Works Director Shea Earley, and Town Clerk Lynelle Stanford (for part of the meeting)

Everyone connected and participated in the meeting via Zoom. Schmidt, MacDonald, Zillioux, Hansen, and Stanford were present in Council Chambers.

Schmidt urged people to vote. He mentioned two members of the community were lost: Jackie Mathis and Bailie Griffith.

APPROVAL OF AGENDA

Haver moved and Bradley seconded a motion to approve the agenda as presented. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

CONSENT AGENDA

- 1) October 19, 2020 Regular Town Council Meeting Minutes.**
- 2) Approval of the 2020 Arbor Day Proclamation and Tree City USA Application for Certification.**
- 3) Presentation of the 2019 Financial Statements and Report of Independent Certified Public Accountants (Annual Audit).**
- 4) Resolution No. 20, Series 2020 - A Resolution of the Crested Butte Town Council Authorizing the Grant of Revocable License to Brett Douglas Hubert and Kathryn Huish Hubert to Encroach Into the Right-of-Way Adjacent to First Street and the North 100 feet of Lots 15-16, Block 41, Town of Crested Butte.**
- 5) Letter of Support for the COVID 19 CO Exposure Notification System.**

Haver moved and Mitchell seconded a motion to approve the Consent Agenda as presented. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

ANNUAL UPDATE FROM EXECUTIVE DIRECTOR CHRISTIE HICKS FROM CRESTED BUTTE NORDIC

Hicks introduced herself. She reported that CB Nordic was a non-profit that groomed 50KM of trails around Town. CB Nordic was unique in that trails started in Town and emanated through mostly private property before reaching conserved and public lands. Hicks provided program highlights from 2019-2020. She elaborated upon 2019-2020 highlights with a timeline, including that CB Nordic had the biggest Thanksgiving Camp and Alley Loop ever.

Hicks reviewed CB Nordic's financials. She spoke regarding revenue impacts and the decline due to the COVID closure. Hicks showed a slide with the 2020-2021 outlook, from November to March. CB Nordic would have online reservations and curbside pick-up. Hicks mentioned they would be proposing a two-day format for the Alley Loop. The course would be simplified to reduce impacts on residents. They were working to come up with a plan for the Grand Traverse in March. Hicks identified unknowns, such as yurt dinners and visitor demand, and she outlined local tips for a successful season.

ANNUAL REPORT BY THE CHAIR OF THE WEED ADVISORY BOARD ON WEED MANAGEMENT IN THE TOWN OF CRESTED BUTTE

Hansen recognized the importance of pictures of the noxious weeds to help with identification, which was part of the reason she incorporated PowerPoint. She began the presentation with a slide regarding the Colorado Noxious Weed Act that mandated property owners to manage weeds on their properties. She provided background on weed management in Town that began with the Noxious Weed Act in 2008. Hansen identified members of the Noxious Weed Advisory Board.

Hansen reviewed the Town's designated noxious weed list and acknowledged the importance of weed management. She thought collaboration made weed management successful, and she recognized collaborating entities. Hansen listed management goals, including education and awareness; prevention and detection; and revegetation and rehabilitation. Hansen outlined 2020 priorities and outcomes. Hansen showed a map of areas treated in Town and maps where mechanical treatment (pulling) and chemical treatment (spraying) were done. Hansen specified areas that were treated outside of Town. Hansen summarized the priorities for 2021. Magner commented she liked the photos.

PUBLIC COMMENT

Kent Cowherd - 901 Teocalli Avenue

- He saw there would be a work session regarding affordable housing on December 21st. He wanted to do a presentation, possibly on December 7th, on ideas he had for affordable housing.
- Cowherd noticed there was a solar array proposed at Avalanche Park. He felt that area had an opportunity for development. He asked whether it was a done deal or an estimate, and he wondered whether some of that area could be set aside for affordable housing. He questioned when the public could weigh in. MacDonald said potentially as soon as the next meeting. He asked again if it was a done deal.

John Wirsing

- He cited violence against police officers that was happening around the nation.
- He was asking to show support for police officers.
- Referring to a Blue Lives Matter mural he previously proposed, Wirsing was not sure what the plan was since it was not on the agenda and nothing more had been painted on the street.
- It was important to be supportive of the police locally and nationally.
- The Council opened the door to support groups that supported violence and defunding the police.

STAFF UPDATES

- Schmidt referred to the Manager's Report.
- He brought up the eventual paving of Kebler Pass. Schmidt recalled past councils had been opposed. MacDonald pointed out it would be beneficial to have the discussion with the County.
- MacDonald informed the Council that Staff had been working with GCEA. GCEA had gone out to bid for solar at Avalanche Park. There was a report from Art Mears that prevention of the 100-year avalanche at that site was quite expensive and would not eliminate all risk. A residential area was not considered for this site. GCEA decided to pursue negotiations with Outshine Energy.
- Schmidt pointed out the STOR Committee meeting in January, for which Staff would prepare discussion points for the RV Dump Station.
- Schmidt confirmed with the Council that the December 21st meeting would remain on the schedule.
- Schmidt polled the Council to schedule a review of the Town Manager. The review was scheduled for November 16th at 4PM before the regular meeting.
- Schmidt recognized new hires, including Bobby Knight in Parks and Recreation.

NEW BUSINESS

1) Resolution No. 21, Series 2020 - A Resolution of the Crested Butte Town Council Adopting the Gunnison County Natural Hazard Mitigation Plan.

Scott Morrill, Emergency Manager in Gunnison County, explained what the natural hazard mitigation plan was. He stated Gunnison County's was done in-house, and the plan included all the jurisdictions within the County. Section Four of the plan identified the

hazards and the capacity to deal with the hazards, such as avalanches, dam failure, and drought. Section Five was about the mitigation strategy. Morrill specifically mentioned wildfire mitigation. All projects accomplished so far had been done with local funding. By adopting the plan, Town would be eligible for funding. Morrill confirmed, responding to Schmidt, that wildfire had been at the top of the list of threats. Dujardin asked about evacuation planning. Schmidt wondered whether the plan addressed where to go in the event of an evacuation. Morrill recognized the importance of engaging the entire community in planning. Reily liked the direction they were headed. He gave Morrill credit for driving the conversation.

Schmidt read the title of the resolution.

Dujardin moved and Haver seconded a motion to adopt Resolution No. 21, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

2) Review of Policy for Leasing Non-Residential Municipal Property.

MacDonald reminded the Council of the adoption of Resolution No. 2, Series 2017, along with the attached policy for Leasing of Non-Residential Municipal Property. She explained Staff was looking for direction on: 1) whether the Council wished to proceed with prioritizing non-profits when commercial leases expired, or alternatively, did the Council wish to initiate a practice whereby existing tenants could expect to remain in the spaces for as long as they wished and 2) how should Town prioritize which non-profit could lease a space when there was more than one applicant.

MacDonald affirmed it was against a lease with the Town to sublet a property. Magner did not think sharing a space was subletting. The discussion focused on details on what had occurred regarding Unit K, in 308 3rd Street. Merrill confirmed the leases were up now. MacDonald explained Staff was bringing the discussion back to Council for direction on how to proceed. Mitchell thought units should be opened to non-profits and if not filled, then Town could do a one-year lease with a for-profit business. The intent was for low rates for non-profits. Haver wanted to continue with the policy as it was set. It was more of an issue that there were two non-profits that wanted the space. Schmidt mentioned the idea of a lottery system. Mitchell agreed a lottery system sounded fair. There was discussion about specifics regarding Windsor's and Locklear's businesses.

Leslie Locklear

- Locklear read the letter she sent to the Council, in which she asked the Council to allow her to stay and share her space with Mentors.
- She was not a non-profit.
- She used the space as a connection to Crested Butte.

Neil Windsor

- The space provided an opportunity for well over 1,000 people to come and participate in drawing sessions.

- When the lease was changed three years ago, his biggest concern was whether he could afford it. He was told he could share the space.
- He would like to address the nature of sharing the space.
- Windsor said he was told that he would have priority to stay if he became a non-profit.
- He wanted to continue providing a service to the community.
- It was possible his business could share space with Artists of Crested Butte.

Heather Bishcoff

- She wanted to clarify her history of being at 308 (3rd Street).
- The tenants took it upon themselves to keep up the building.
- The people that were in the building wanted to stay.
- There were a lot of artists that came in to collaborate, and she hoped they could continue to do so.

The discussion became focused on non-profits that desired the spaces. Mitchell suggested people could be grandfathered in. MacDonald reminded the Council there was a for-profit tenant in The Chamber building. Merrill thought it was a case by case situation. Schmidt suggested that if Windsor and Locklear could establish relationships with non-profits, the Council could let them continue to use their spaces. Magner pointed out Windsor's business was a non-profit. Bradley agreed he was a non-profit to stay in accordance with the policy. Magner asked Sullivan to weigh in on subletting. Sullivan said that in a sublease arrangement the original tenant remained liable for the lease. Schmidt identified the concern of a non-profit leasing the property and allowing a for-profit entity to operate out of the space. Sullivan affirmed the Town's written consent would be required. Haver wanted to see the units used. He recommended the Council spend the next two weeks looking for a solution. He acknowledged it was a test of the policy that had been put in place. Haver was happy to serve on a sub-committee to meet with Staff before the next meeting, and Merrill said she would serve on the sub-committee, too. The non-residential lease policy would be discussed at the next meeting.

3) Ordinance No. 27, Series 2020 - An Ordinance of the Crested Butte Town Council Granting a Ground Lease to Gunnison County Electric Association, Inc. for the Installation of an Electric Vehicle Charging Station on a 20 Foot by 20 Foot Portion of the Town Hall Public Parking Area.

Schmidt read the title of the ordinance. Yemma explained this lease was for the new charging station in the public parking outside of Town Hall. GCEA managed the charging station. This ground lease was consistent with other ground leases with GCEA.

Mitchell moved and Dujardin seconded a motion to set Ordinance No. 27, Series 2020: An Ordinance of the Crested Butte Town Council Granting a Ground Lease to Gunnison County Electric Association, Inc. for the Installation of an Electric Vehicle Charging Station on a 20 Foot by 20 Foot Portion of the Town Hall Public Parking Area, for public hearing on November 16th, 2020. A roll call vote was taken with all voting, "Yes."
Motion passed unanimously.

4) Ordinance No. 28, Series 2020 - An Ordinance of the Crested Butte Town Council Granting a Ground Lease to Gunnison County Electric Association, Inc. for the Installation of an Electric Vehicle Charging Station on a 20 Foot by 20 Foot Portion of the Fire Station Public Parking Area.

Schmidt read the title of the ordinance. Yemma confirmed the lease was for the charging station by the Fire Station. It was a fast charger, the only one in the Gunnison Valley.

Mitchell moved and Dujardin seconded a motion to set Ordinance No. 28, Series 2020: An Ordinance of the Crested Butte Town Council Granting a Ground Lease to Gunnison County Electric Association, Inc. for the Installation of an Electric Vehicle Charging Station on a 20 Foot by 20 Foot Portion of the Fire Station Public Parking Area, for public hearing on November 16th, 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

5) Discussion on a Proclamation of the Crested Butte Town Council Recognizing the Efforts and Dedication of All First Responders.

Schmidt asked for discussion on such a proclamation in general. Haver appreciated the thought of doing it. He was proud of the first responders. They did a phenomenal job, and it was important to recognize their efforts. Mitchell agreed they should do the proclamation. She supported it. Merrill supported it. She appreciated Reily's letter, and she appreciated all they did. Magner also supported a proclamation. Dujardin appreciated the sentiments. His concern was how it came about. He wanted to look at that process. Haver asked what the proper procedure was. Sullivan said the issue was one that had to do with the proclamation being put out in public in its first form. Sullivan recommended the proclamation be put on the agenda for the next meeting. He confirmed Council members could send their comments individually to Schmidt.

LEGAL MATTERS

Sullivan stated he would be available to assist Haver, Merrill, and MacDonald, who were acting as the subcommittee to discuss the non-residential lease policy.

COUNCIL REPORTS AND COMMITTEE UPDATES

Mallika Magner

- The Chamber was looking at ways to get a food delivery service happening this winter. Schmidt asked about logistics and confirmed that it was not a charity effort. Magner recognized that it seemed Stephanie Sandstrom was really working on coming up with creative ideas.

Candice Bradley

- She reported on TAPP.
 - The winter marketing was launching today.
 - TAPP would be increasing their focus on social media.

- They were doing an air marketing program for Dallas and Houston.
- TAPP had a second national accelerator through Moosejaw going through the ICELab. This accelerator would focus on underrepresented groups.
- The 2020 numbers appeared to be successful.

Chris Haver

- They had an OVLC meeting.
 - All 150 air filtration systems were given out, and there were more coming.
 - MacDonald stated the County was investing in more machines, rather than replacement air filters.
 - Haver said the business action plan had been updated, and the tool kit had come out. They were planning on arranging for some off-season business training.
 - They were spending \$300K in CARES Act funds. He listed designations in which funding would be used.
- The 76 units in Gunnison had been popping up. Shady Island would be opening this spring.
- RTA had a budget meeting.

Laura Mitchell

- She reported regarding RTA.
 - Together RTA and Mountain Express would be buying a minivan for the senior service.
 - They talked about COVID messaging on the bus windows.
 - Flight service looked strong for the winter.
 - Bus ridership was down. Scott Truex was still talking with Joni Reynolds about what it would look like.

Will Dujardin

- He attended the OVLC meeting on which Haver reported.
- He had a QQ meeting.
 - There was a presentation by Barbara Green and David Baumgarten on local regulation on public land.
 - During the next meeting they would be reviewing the issues going through legislation this year.
- The Black Lives Matter Executive Committee met.
 - They would keep working on the mission statement.
 - The subcommittees would continue meeting.
- Gunnison County had one indicator towards the yellow level, which was the rolling positivity rate day after day.

Mona Merrill

- She missed the STOR meeting.
 - They discussed the ongoing trash concerns.
 - Per MacDonald's report, it looked like Staff would present in January on what the options would be for the RV Dump Station moving forward.

- They had a Center for the Arts board meeting. They were redefining roles and were pushing a large capital campaign.

Jim Schmidt

- MacDonald and he met with Tim Baker.
 - The resort's number one concern was to keep the ski area open.
 - They would be urging people to bring boxed lunches rather than congregating in warming houses to eat.
 - Baker recognized concerns about restrooms and social distancing.
 - They were staffing up okay.
- He looked at the dashboard, and there were only two positive COVID tests for the weekend.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Schmidt referred to the letter he wrote to the community. He asked how the Council wanted the letter signed, from Schmidt or the whole Council. Haver thought it was a good letter and it made sense coming from Schmidt. Mitchell agreed it could come from Schmidt. Council members voiced agreement, and no one voiced opposition.

Mitchell noted that people around her neighborhood were living in their cars. MacDonald offered to speak with her about it.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, November 16, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, December 7, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, November 21, 2020 - 6:00PM Work Session - 7:00PM Regular Council

Schmidt mentioned the November 16th meeting and the review before the meeting.

EXECUTIVE SESSION

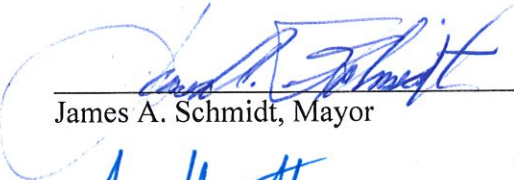
Schmidt read the reason for Executive Session: for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding the possible disposition of municipal property and potential property acquisition.

Mitchell moved and Dujardin seconded a motion to go into Executive Session. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 9:41PM. The Council returned to open meeting at 10:34PM. Mayor Schmidt made the required announcement upon returning to open meeting.

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 10:35PM.



James A. Schmidt, Mayor



Lynelle Stanford, Town Clerk

(SEAL)

